

# How California Child Restraint Law Applies to You



Applies To	California Vehicle Code Section	Description
<b>Children</b>	27360 (a) (b)	<p>Requires children to be properly secured in a child seat or booster seat until they are at least:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 6 years old or</li> <li><input type="checkbox"/> Weigh 60 pounds</li> </ul> <p>Once the child meets one of these criteria, either a child passenger restraint system (car seats, boosters, harnesses, and other products certified to meet federal safety standards) or a properly fitted safety belt (lap belt low, touching the thighs; shoulder belt on child's shoulder, not under arm or behind back) can be used. Warning: Most children do not fit properly in vehicle belts until at least age 8.</p> <p>Children ages 6-16 years or less than 60 pounds and under 16 years of age must wear:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A child passenger restraint system (car seats, boosters, harnesses, and other products certified to meet federal safety standards) or</li> <li><input type="checkbox"/> A properly fitted safety belt (lap belt low, touching the thighs; shoulder belt on child's shoulder, not under arm or behind back)</li> </ul>
<b>Parent/Driver</b>	27360	Upon violation of the above, if the parent is in the car they will receive the ticket, if not the driver will receive it
	27360.5 (c)	<p>Penalties/Fines:</p> <p>For children under age 4 or 40 pounds:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> \$100.00 fine (\$270 in penalty assessments)</li> <li><input type="checkbox"/> One point on your driving record</li> </ul> <p>For children 4 years of age or older and 40 pounds or more:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> \$50.00 fine (\$135 in penalty assessments)</li> </ul>
	27360 (d)	Courts may waive fine for first offense if violator shows economic disadvantage. If fine is waived, court must refer violator to education program and report conviction to DMV. Allocation of fine, 60% to county health department for program; 25% to county to administer program; 15% to city general fund unless violation is in unincorporated area
<b>Car Rental Agencies</b>	27365	Must provide safety seats for rent by customers request. The seats must be in good, safe condition, with no missing parts and less than five year old.
<b>Auto Insurance Companies</b>		Must cover replacement of child restraints in use by a child during a crash (Insurance Code Section 11580.011)
<b>Day Care Centers</b>		Must post a sign of the California Health and Safety Code Section 1596.95 indicating new law
<b>Retailers and Distributors</b>	27362, 27302	May not sell child restraints or attachments for vehicle belts that do not conform to applicable safety standards

*This document was produced by the Los Angeles County, Department of Health Services, Injury and Violence Prevention Program [(213) 351-7888] with materials from SafetyBeltSafe U.S.A. [(800)745-SAFE], July, 2003*